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may be regarded as a legislative protest against so harsh a construction of the law.

After an examination of the common law on the subject, following a carefully outlined plan, which, while giving a very minute treatment, does not eliminate breadth in handling, we have a number of chapters on these employer's liability acts, giving the text of the acts which have been passed in this country and in England and her colonies. Some of our acts follow that of England very closely; others vary considerably. The larger number of the states have legislation of some sort affecting the employer's liability, and a very good table of these acts is given at the end of the second volume.

Whether we agree with the theories which Mr. Labatt propounds or not, and even admitting that the work may be defective in concentration, it seems not too much to say that he has given us a thorough, clear, and comprehensive treatise of the law of the employer's liability.

M. C. K.

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THE ART OF CROSS-EXAMINATION; WITH THE CROSS-EXAMINATIONS OF IMPORTANT WITNESSES IN SOME CELEBRATED CASES. By FRANCIS L. WELLMAN. Pp. 283. New York: The Macmillan Company, 1903.

We have in this book a noteworthy addition to the literature of the law. Although ostensibly intended as a guide to students and young lawyers in the acquisition of "the rarest, the most useful, and the most difficult to be acquired of all the accomplishments of the advocate," the art of cross-examination, its appeal is in no sense restricted to the legal profession. It is a book that may be read with profit by the lawyer and interest by the layman. It is a happy combination of the instructive and the entertaining. Writing with an easy and engaging style, and with an enthusiasm for the subject at times bordering almost on hero worship, the author has produced rather an interesting and entertaining collection of courtroom anecdotes and episodes than an exhaustive technical treatise on his subject.

The early chapters are devoted to general suggestions as to the manner of handling different types of witnesses and kinds of testimony, with anecdotes illustrating the methods used by masters of the art of cross-examination in Great Britain and America. This is followed by a chapter entitled "Golden Rules for Examining Witnesses," a recapitulation of the golden rules of David Paul Brown, and another on "Some Famous Cross-Examiners and Their Methods," this

latter containing many interesting anecdotes and appreciations of such men as Sir Charles Russell, Rufus and Joseph H. Choate, Benjamin F. Butler, Abraham Lincoln, and others. The latter part of the book contains verbatim copies of portions of the stenographers' notes of cross-examinations of important witnesses in several famous cases, selected with reference to their bearing upon the suggestions offered in the early chapters.

For the young lawyer the book contains many valuable suggestions, aptly illustrated by interesting and entertaining examples taken from famous cases. In selecting these illustrations the author has intentionally chosen as far as possible those that are striking and dramatic. As a rule, this has been done to good purpose and with telling effect. A notable example is the cross-examination of Sovine by Abraham Lincoln. The incident is full of dramatic possibilities, which are fully brought out by the author's clever handling, with the twofold result of holding the attention of the casual reader and creating such a vivid picture of the scene that it, with the lesson it is intended to teach, is indelibly impressed on the student's mind.

On the other hand, Mr. Wellman has at times allowed himself to be carried away by his love for the dramatic, and in his enthusiasm seems to have lost sight of the ostensible purpose of the book. For example, the soliloquy of Robert Ingersoll over the tomb of Napoleon at the close of the chapter on "Some Famous Cross-Examiners," although undoubtedly a fine dramatic effort, has no logical connection with the subject of discussion, and its introduction seems a bit forced.

On the whole, however, the book is well-written, instructive, and entertaining, and almost universal in its appeal. To any one interested in this most fascinating phase of court-room life it will well repay a careful reading.

R. B. E.

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THE LAW OF MINES AND MINING INJURIES. By EDWARD J. WHITE, LL.B. One volume, pp. xxviii+966. St. Louis: The F. H. Thomas Law Book Company, 1903.

While the subject of mines and mining is by no means a new one in the law, its constantly increasing importance in this country and its new phases, which are continually arising, make a book like this of much value to the active practitioner.

The work is divided into two parts. The first treats of the "Different Relations Arising from the Ownership of Mines